



Billy Bolin  
Chief of Police

# Evansville Police Department

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## INTER-DEPARTMENT CORRESPONDENCE

DATE: 02/14/20

TO: Chief Billy Bolin

FROM: Sergeant Shawn Smith

SUBJECT: OG 359.01 Memo Case Number 19-23972 OIS

This is the report pursuant to OG 359.01 by the Internal Affairs Unit after review of the OIS investigation of 19-23972. Officer Mario Reid reported this summary of his actions at the scene on 10/28/19: "At approximately 18:28 on today's date, I was dispatched to the intersection of Morgan Ave and Theater Drive regarding an accident. Dispatch informed me that a Jeep Wrangler had run into an electrical pole. When I arrived, a citizen flagged me down with a flashlight and told me that he believed that the driver of the vehicle that hit the pole was intoxicated.

When I approached the vehicle, the driver of the vehicle was a white male who was still sitting in the jeep. The jeep was open and had no doors or windows. When I approached the subject, he appeared to be intoxicated, and he acted suspicious. I asked for his driver's license and registration. He shook his head. He immediately began reaching underneath his seat and making furtive movements in the passenger compartment. I gave him verbal commands to stopping reach for items. He ignored my commands. I continued to give him commands, and he continued to ignore them. Because he continued to reach for items in a suspicious manner, I backed away and drew my weapon. I continued to shout commands, telling him to show his hands.

He was continuously reaching and grabbed something that appeared to be black, and he pointed the object at me. As he was pointing the object at me, he moved toward me in an aggressive manner, continuing to point the item at me. At this point, several witnesses were in the area, and some were standing near and/or behind me. I believed the subject had a gun, and I feared for my safety and those around me. I believed that the subject was going to shoot me and/or others so I fired a few shots with my service weapon. The subject continued to move aggressively toward me as I fired. I also continued to give verbal commands during this time. I fired approximately two more shots before the subject fell to the ground. I then held my position and continued to cover the subject until back-up arrived."

I have reviewed the Body Cam Footage by Officer Reid from 10/28/19. His Use of Force narrative is consistent with what is depicted in the footage. I have read the narrative and all 54

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supplemental reports for case number 19-23972. I have also reviewed the CAD Run Card for this event.

Detective Aaron McCormick was notified by the Vanderburgh County Prosecutor's Office on 02/05/20 that they have determined Officer Mario Reed acted lawfully and properly in case number 19-23972 and no criminal charges will be filed.

After review of this evidence I have concluded that Officer Mario Reid fired his issued duty weapon (Glock 21) four times at the suspect when he presented a threat to Officer Reid and other bystanders. Officer Reid is currently qualified on this weapon for duty use. This Use of Force was consistent with State Law and Departmental Policy. His actions are consistent with Department training and no deficiencies in this area are observed after review of this incident. Officer Reid was drug and alcohol screened per policy after this incident and was negative for both. I find all actions consistent with both Evansville Police Department Rules and Regulations and Operating Guidelines. I concur with Lt. McDonald's Command Level Review of this Use of Force and find it Justified/ Within Department Policy.